

### **REMARKS**

Claims 1-76 are pending. The Applicant filed a first Preliminary Amendment on August 22, 2001 that added claims 20-76. Also, in the Preliminary Amendment the Applicant stated that the present patent application is a continuation of U.S. Application Nos. 09/305,931, 09/306,468, 09/306,022, and 09/306,466. The Applicant filed a second Preliminary Amendment on October 28, 2002 to amend the title to "Creating a Virtual Consultant." The Applicant elected claims 1-38 and 58-76 in response to the restriction requirement. Claims 1-38 and 39-57 are rejected by this Office Action.

#### **Claim Amendments for Clarification**

The Applicant has amended claims 1-5 and 10-15 to clarify what is being claimed. In particular, "a destination" is amended to "the first destination" and "the selected destination" is amended to "the first destination" in claims 1, 10, and 11, and "the destinations" is amended to "the first and second destinations" in claims 2-5 and 12-15.

#### **Specification**

In accordance with 37 CFR 1.96, the Applicant is submitting the computer program listing (pages 122-148 in the specification) on a CD-ROM and duplicate CD-ROM, as included with this paper.

The Applicant is not aware of errors in the specification.

#### **Election/Restriction**

The Applicant affirms the selection of Group I claims (claims 1-38 and 58-76). The election is without traverse. The non-elected claims are 39-57, corresponding to Group II claims.

#### **Claim Rejections - 35 USC §102**

Claims 1-19 are rejected by this Office Action under 35 USC 102(b) as being anticipated by US 5,310,349 (Daniels). The Applicant has amended claim 1 to include additional features of "selecting a **second** destination to interact with the one or more users" and "modifying the interaction parameters for the one or more users in accordance with the second destination". (Emphasis added.) The specification, as originally filed, teaches (Page 223, lines 8-21. Emphasis added.):

Further destinations for travelers in the virtual university are provided through label B 88040 which traverses to Figure 89. In Figure 89, an instructor lookup function is provided at function block 89010. A label BB 89030 provides direct access to a professor's virtual office. Decision block 89020 searches for a particular instructor (professor) name, and if the name is found, then at function block 89040, the professor's virtual office is entered and if office hours are in effect, then a student can interact with the professor in a chat room. A Frequently Asked Questions (FAQ) is provided to assist students as shown in function block 89050. Function block 89060 provides old tests, function block 89070 provides classroom issues, function block 89080 provides classroom materials, 89090 provides class handouts, function blocks 89100 provides research topics, function block 89110 provides professor office hours, and function block 89120 provides homework assignments. Finally, at label A 87020, control is passed back for **further travel through the virtual university.**

Daniel does not teach or even suggest these features. Daniels does teach "accessing one of a plurality of rooms within a school representation displayed on the video screen." (Column 3, lines 19-20. Emphasis added.) However, Daniels does not teach or even suggest selecting a second destination and modifying the interaction parameters. Similarly, the Applicant has amended claim 10 to include the features of "logic that selects a second destination to interact with the one or more users" and "logic that modifies the interaction parameters for the one more users in accordance with the second destination" and claim 11 to include the features of "a code segment that selects a second destination to interact with the one or more users" and "a code segment that modifies the interaction parameters for the one more users in accordance with the second destination". Thus, claims 10 and 11 are not anticipated for the above reasons. Claims 2-9 and 12-19 depend from independent claims 1, 10, and 11. The Applicant requests reconsideration of claims 1-19.

Claim 20-38 are rejected by this Office Action as being anticipated by Daniels. However, claim 20 includes the features of "connecting a server and one or more users and a **first virtual instructor**" and "dynamically **adding a second virtual instructor**". (Emphasis added.) Daniels does not teach or even suggest both these features. The Office Action asserts that Daniel's disclosure of "the second teacher" (col. 6, lines 37-64) teaches the feature of "dynamically adding a second virtual instructor". However, Daniels merely teaches about the teacher group having three different subgroups including a first teacher subgroup (regular teacher), a second teacher subgroup (substitute teacher), and a

third subgroup (media specialist). Similarly, claim 29 includes the features of “logic that connects a server and one or more users and a first virtual instructor” and “logic that dynamically adds a second virtual instructor”, and claim 30 includes the features of “code that connects a server and one or more users and a first virtual instructor” and “code that dynamically adds a second virtual instructor”. Thus, claims 29 and 30 are not anticipated for the above reasons. Claims 21-28 and 31-38 depend from independent claims 20, 29, and 30. The Applicant requests reconsideration of claims 20-38.

Claims 58-76 are rejected by this Office Action as being anticipated by Daniels. However, claim 58 includes the feature of “selecting a presentation type for instructing the one or more students”. Daniels does not teach or even suggest this feature. The Office Action asserts that Daniel’s disclosure of “location, classroom” (fig. 4, col. 3, lines 15-40, and col. 4, lines 19-50) teaches this feature. However, Daniels merely teaches about a “location” and not a presentation type. Similarly, claim 67 includes the feature of “logic that selects a presentation type for instructing the one or more students”, and claim 68 includes the feature of “a code segment that selects a presentation type for instructing the one or more students”. Thus, claims 67 and 68 are not anticipated for the above reasons. Claims 59-66 and 69-76 depend from independent claims 58, 67, and 68. The Applicant requests reconsideration of claims 58-76.

**Conclusion**

All objections and rejections have been addressed. Hence, it is respectfully submitted that the present application is in condition for allowance, and a notice to that effect is earnestly solicited.

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Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kenneth F. Smolik", written over a horizontal line.

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